

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JAMES MERRILL BROWNING,	:	Civil No. 1:21-CV-1295
	:	
Petitioner,	:	
	:	
v.	:	
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, <i>et al.</i> ,	:	
	:	
Respondents.	:	Judge Jennifer P. Wilson

ORDER

AND NOW, on this 2nd day of November, 2021, for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT**:

1. Petitioner's motions to proceed *in forma pauperis*, Docs. 4 and 6, are **GRANTED**.
2. The petition for writ of habeas corpus, Doc. 1, is **DISMISSED WITHOUT PREJUDICE**.
3. There is no basis for the issuance of a certificate of appealability in this matter. *See* 28 U.S.C. § 2253(c).
4. The Clerk of Court shall **CLOSE** this case.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania